



PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

FILED

5-12-15
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May 12, 2015

Agenda ID #13966
Quasi-Legislative

TO PARTIES OF RECORD IN INVESTIGATION 13-06-014:

This is the proposed decision of Commissioner Florio. Until and unless the Commission hears the item and votes to approve it, the proposed decision has no legal effect. This item may be heard, at the earliest, at the Commission's June 11, 2015 Business Meeting. To confirm when the item will be heard, please see the Business Meeting agenda, which is posted on the Commission's website 10 days before each Business Meeting.

Parties of record may file comments on the proposed decision as provided in Rule 14.3 of the Commission's Rules of Practice and Procedure.

/s/ KAREN V. CLOPTON

Karen V. Clopton, Chief
Administrative Law Judge

KVC: avs

Attachment

Decision **PROPOSED DECISION OF COMMISSIONER FLORIO**
(Mailed 5/12/2015)**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Investigation for the purpose of establishing a list for the fiscal years 2012-2013 and 2015-2016 of existing crossings at grade of city streets, county roads or state highways in need of separation, or existing separations in need of alterations or reconstruction in accordance with Section 2452 of the California Streets and Highways Code.

Investigation 13-06-014
(Filed June 27, 2013)

**FINAL DECISION ESTABLISHING PRIORITY LIST
FOR FISCAL YEAR 2015-2016****Summary**

This Final Decision adopts the California Grade Separation Priority List (Priority List) for Fiscal Year (FY) -2015-2016, as required by the California Streets and Highways Code Section 2450 *et seq.* Four projects from the FY 2014-2015 Grade Separation Program Priority List adopted by Decision (D.)14-06-010 (as corrected by D.14-06-056), the interim decision in this investigation, have received allocations this fiscal year. Therefore, four projects are deleted from the FY 2014 - 2015 Priority List to create the FY 2015-2016 Priority List. Investigation 13-06-014 is closed.

1. Background

1.1. Historical

Section 2452 of the California Streets and Highways (S&H) Code requires the California Public Utilities Commission (Commission) to establish the Grade Separation Program Priority List (Priority List) for qualified projects and furnish it to the California Transportation Commission (CTC) by July 1st of each year for use in the fiscal year (FY) beginning on that date. The Priority List establishes the relative priorities for allocation of State funds to qualified crossing projects most urgently in need of separation or alteration, to meet the program goals of eliminating hazardous railroad crossings.¹ These projects include construction of new grade separations to replace existing at-grade crossings, or alteration or reconstruction of existing grade separations. The CTC is responsible for allocating (distributing) the State funds to qualified projects, a responsibility it has delegated to the California Department of Transportation (Caltrans).² Section 190 of the S&H Code requires the State's annual budget to include \$15 million for funding of these Priority List projects.

Every two years, the Commission issues a new Order Instituting Investigation (OII), in which it determines the Priority List for the next two FYs. The Commission adopts the Priority List for the first FY by interim decision issued before that FY begins. The Commission revises the Priority List for the second FY by deleting projects for which funds were actually allocated in the first FY, adopting a revised Priority List by final decision before the second FY

¹ S&H Code § 2450 et seq.

² S&H Code § 2453.

begins. The two-year funding cycle begins again with the issuance of a new OII for the creation of a new Priority List for the following two FYs.

In particular, the procedures adopted by the Commission to process this OII requires local agencies to provide planned grade separation project nominations to this Commission in response to a request for nominations in the ordering paragraphs of the new OII. The Commission's Safety and Enforcement Division (SED) reviews each nominated project to ensure that it is eligible for the Grade Separation Program, and prepares and provides interested parties with a draft Priority List. The Commission holds a series of hearings so that nominating agencies may present each proposal, answer questions about its content, and confirm its accuracy. Attendance and participation in these hearings is mandatory for any project proponent. SED adjusts the draft Priority List in accordance with evidence received at the hearings, as appropriate. This draft Priority List is then presented to the Commission for adoption by an interim decision. The Priority List includes projects for construction of new grade separations of existing at-grade rail crossings of public streets, roads, or highways, and alterations or reconstructions of existing grade separation structures.

1.2. Procedural Background

The Commission initiated the current proceeding by issuing Investigation (I.) 13-06-014 on July 27, 2013, to create the Priority List for FY 2014-2015 and FY 2015-2016. SED received a total of 58 timely nominations from railroads, light rail transit agencies, cities, counties, and other interested parties for projects to be considered for inclusion in the first Priority List of the current OII. After evaluating each nominated project, SED produced a preliminary Priority List from the data furnished in the nominations. Evidentiary hearings were then

held, in which the Commission gathered further evidence regarding the nominated projects. SED then issued a revised Priority List, which included 56 nominated projects, based on the evidence presented.³ By interim Decision (D.) 14-06-010, the Commission adopted SED's Priority List for FY 2014-2015. D.14-06-056 corrected certain non-substantive errors in D.14-06-010. No rankings were changed as a result of the corrections.

This initial Priority List established the relative priorities for funding qualified highway-rail crossing projects which the Commission determines to be most urgently in need of separation, alteration or reconstruction, in the current OII.

2. Establishment of the FY 2015-2016 Priority List

California Department of Transportation notified SED that allocations have been made to four projects listed in the Priority List adopted in D.14-06-010 (as corrected by D.14-06-056). SED has therefore removed these four projects from the FY 2014-2015 Priority list in order to prepare a revised Priority List for FY 2015 - 2016, which is appended to this decision as Attachment A. The Commission therefore adopts this FY 2015 - 2016 Priority List prepared by SED. Adoption of the FY 2015-2016 Priority List concludes this biennial proceeding.

³ D.14-06-010 at 4, "...the 2014-2015 Priority List was finalized by SED to include 56 nominations: (1) one project did not qualify, and is rejected; (2) one nomination is removed from the 2014-2015 Priority List because its nomination could not be received into the formal record of this proceeding - the nominee's representative did not appear at the evidentiary hearing as scheduled or file a motion requesting receipt of its nomination into the record, resulting in its nomination not being received into the record of I.13-06-014; (3) the ranking of the nominations by the Cities of Burlingame and Corona were adjusted based on updated train counts; and (4) the ranking of the nomination by the City of Montclair was adjusted based on the correction of the Special Condition factor.."

The four projects for which allocations have been made and which are removed from the FY 2014-2015 Priority List are:

FY 2014 - 2015 Ranking	Project Name
20	Grant Line Road, City of Elk Grove
23	Avenue 52, City of Coachella
31	Laurel Street, San Bernardino Associated Governments (City of Colton)
44	Lenwood Road, San Bernardino Associated Governments (City of Barstow)

3. Comments on Proposed Decision

The proposed decision of Commissioner Florio in this matter was mailed to the parties in accordance with Section 311 of the Public Utilities Code and comments were allowed under Rule 14.3 of the Commission's Rules of Practice and Procedure. Comments were filed on _____, and reply comments were filed on _____ by _____.

4. Assignment of Proceeding

Michel P. Florio is the assigned Commissioner and Seaneen M. Wilson is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. The FY 2014-2015 Priority List was established by the interim decision in this OIL, D.14-06-010, which was corrected by D.14-06-056.
2. Four projects on the FY 2014 - 2015 Priority List have received allocations from Caltrans.
3. SED has prepared the Priority List for the second fiscal year, FY 2015 - 2016 (Attachment A to this decision).

Conclusions of Law

1. The FY 2015 - 2016 Grade Separation Priority List (Attachment A to this decision) should be adopted.
2. I.13-06-014 should be closed.

O R D E R

IT IS ORDERED that:

1. Pursuant to California Streets and Highways Code Section 2450 et seq., the Fiscal Year 2015-2016 Grade Separation Priority List included in Attachment A to this decision, is adopted, as the list of projects, in order of priority, which the California Public Utilities Commission determines to be most urgently in need of grade separation, alteration, or reconstruction.
2. The California Public Utilities Commission's Executive Director must furnish a certified copy of this decision to the California Department of Transportation and the California Transportation Commission.
3. Investigation 13-06-014 is closed.

This order is effective today.

Dated _____, at San Francisco, California.

Attachment A
Grade Separation Program Priority List
For Fiscal Year 2015-2016

I.13-06-014 COM/MF1/avs

Rank	Agency	Crossing Location	PUC ID	DOT ID	Railroad	VEH	TRN	LTRN	Cost Share (M)	AH/WC	BD/HC	VS/SR	RS/AS	CG/ POF	PT/AP	OF/ DE	SCF/ SF	Priority Index
1	City of Santa Fe Springs	Rosecrans Ave/Marquardt Ave	002-157.80	027656A	BNSF	31076	133	0	5000	14	5	3	5	10	10	11.0	43.8	12443.1
2	County of Riverside	Magnolia Avenue	002B-20.20D, 002B-20.30, 002B-20.35 & 002B-20.40D	027472A, 026517B, 026518H & 027471T	BNSF	19856	82	0	5000	19	12	6	16	26	20	12.0	91.6	6604.4
3	City of Santa Fe Springs	Norwalk Blvd/Los Nietos Rd	BBJ-497.28 & 002-153.10	027649P & 027650J	BNSF	32634	133	0	10000	12	6	5	10	23	20	13.0	76.8	5719.2
4	Orange County Transportation Authority (Santa Ana)	17th Street	101OR-174.70	026699P	SCRRA	43939	75	0	5000	5	3	2	6	11.0	9	14.5	45.5	4000.0
5	Orange County Transportation Authority (Santa Ana)	Grand Avenue	101OR-176.20	026741L	SCRRA	39399	75	0	5000	3	2	3	7	9.6	9	11.5	42.1	2406.0
6	City of Corona	McKinley Street	002B-21.20	026519P	BNSF	26035	90	0	5000	3	4	1	4	11	5	11.0	36.2	1910.7
7	City of San Mateo	25th Avenue	105E-19.70	754910E	PCJX	11,928	96	0	5000	6	2	1	6	7.2	10	10	36.2	1639.3
8	Alameda Corridor-East Construction Authority	Fullerton Road	003-21.40	810880T	UPRR	26449	40	0	5000	5	2	1	6	10	4	9.0	32.3	1301.9

I.13-06-014 COM/MF1/avs

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	(Industry)																	
9	Orange County Transportation Authority (Anaheim)	Orangethorpe Avenue	101OR-166.20	026640A	SCRRA	25466	57	0	5000	3	2	3	6	6.0	8	9.0	34.0	1195.2
10	City of Ontario	San Antonio Avenue	003-37.10 & 001B-519.60	810893U & 746939G	UPRR	9344	72	0	5000	7	6	2	8	13.0	8	10.5	47.5	1123.9
11	Greater Bakersfield Separation of Grade District	Morning Drive (SR 184)	001B-317.50	757413M	UPRR	16900	45	0	5000	5	3	3	5	11	0	11.0	32.7	945.3
12	City of Montclair	Monte Vista Avenue	001B-517.40 & 003-35.00	746936L & 810896P	UPRR	15057	72	0	5000	3	10	4	10	19	10	10.5	63.5	930.8
13	City of Burlingame	Broadway Avenue	105E-15.20	754879V	PCJX	30658	96	0	10000	2	2	0	6	9	10	12	39	922.0
14	Orange County Transportation Authority (Anaheim)	Ball Road	101OR-169.20	026649L	SCRRA	34867	57	0	5000	1	2	2	6	8.6	8	13.5	40.1	835.1
15	Alameda Corridor-East Construction Authority	Turnbull Canyon Road	003-17.20	810867E	UPRR	13567	40	0	5000	6	2	1	6	12	4	8.5	33.1	792.8

I.13-06-014 COM/MF1/avs

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	(City of Industry)																	
16	Stanislaus County	Claribel Road	002-1094.50	028755B	BNSF	11363	46	0	5000	6	3	3	6	5	4	12.5	33.3	765.0
17	City of Stockton	West Lane	001BEL-82.14	752897L	UPRR	31293	30	0	4000	2	2	1	3	7	4	13.0	29.8	733.9
18	Madera County Road Department	Avenue 12	002-1015.10	028601R	BNSF	13777	42	0	6322	6	2	5	6	4	4	10.5	31.7	672.3
19	City of Lodi	Harney Lane	001BEL-73.84	752902F	UPRR	15,987	39	0	2000	1	3	3	3	7.2	4	10.5	30.7	654.2
20	City of Elk Grove	Grant Line Road	001BEL-53.94	752746W	UPRR	19497	24	0	5000	5	2	5	3	6.0	2	9	27.0	588.5
21	County of Riverside	Clay Street	003-50.90	906015V	UPRR	16743	37	0	5000	3	2	1	5	7	4	10.0	28.5	524.1
22	Peninsula Corridor Joint Powers Board (City of San Mateo)	Poplar Avenue* Santa Inez Avenue* Monte Diablo Avenue* Tilton Avenue*	105E-17.20B 105E-17.30B 105E-17.40B 105E-17.50B	754896L 754897T 754898A 754899G	PCJX	17113	100	0	5000	0	38	8	1	30	29	32.0	138.0	480.3
23	City of Coachella	Avenue 52	001B-615.50	760723K	UPRR	13149	39	0	5000	3	4	4	6	9.4	1	14	38.4	448.6
24	County of Los Angeles Department of Public Works	El Segundo Boulevard	001BBH-492.60 & 084L-10.40	747868R	UPRR/L ACMTA	8352	4	247	5000	7	3	1	2	12	10	9.5	37.5	421.0

I.13-06-014 COM/MF1/avs

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25	County of Los Angeles Department of Public Works	Avenue S	101VY-66.92	750601D	SCRRA	21240	42	0	5000	1	1	5	3	9	4	7.5	29.5	386.3
26	Orange County Transportation Authority (Santa Ana)	Santa Ana Boulevard	101OR-175.10	026702V	SCRRA	20655	75	0	5000	0	3	1	3	10	9	13.5	39.5	349.3
27	Orange County Transportation Authority (Anaheim)	State College Boulevard	101OR-170.30	026652U	SCRRA	26072	57	0	5000	0	2	2	6	9	8	10.5	37.6	334.8
28	City of Shafter	Gerdo Highway	002-905.13	028390W	BNSF	10600	35	0	5000	3	1	1	6	9	4	9.5	30.3	327.1
29	City of Ontario	Campus Avenue	003-38.30 & 001B-520.70	810907A & 746944D	UPRR	6888	65	0	5000	2	6	4	8	17.2	8	10.0	53.2	321.8
30	San Bernardino County Department of Public Works	Vista Road	002-22.00	026068N	BNSF & UPRR	7266	101	0	5000	1	1	5	2	8	1	9.0	26.0	319.5
31	San Bernardino Associated	Laurel Street	002B-02.10	026449C	BNSF	3234	102	0	5000	3	5	1	1	10.2	5	9.5	31.7	295.3

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	Governments (Colton)																	
32	City of Ontario	Archibald Avenue	003-41.20	810911P	UPRR	9358	27	0	5000	4	2	2	6	13	4	9.5	36.3	289.0
33	City of Sunnyvale	Mary Avenue	105E-37.90	755037B	PCJX	20950	95	0	20000	1	2	1	6	8	10	9.5	36.5	235.5
34	City of Bakersfield	Kratzmeyer Road	002-897.33	028380R	BNSF	2620	37	0	5000	9	2	5	6	8	4	10.5	35.3	229.2
35	City of Ontario	Milliken Avenue	003-43.40	810913D	UPRR	16384	27	0	5000	1	2	4	6	10	4	9.5	35.3	212.3
36	City of Ontario	Grove Avenue*	001B-521.40-B	746956X	UPRR	27351	34	0	5000	6	0	2	2.5	3	2	2.0	17.5	203.5
37	County of Kern	Olive Drive	001B-308.9	756945M	UPRR	21000	20	0	5000	1	2	3	5	8	0	12.0	29.8	197.8
38	City of Bakersfield	Baker St-E. Truxtun Ave.	Consolidation 002-885.77 002-885.95 002-886.20 002-886.40	028284N 028285V 028288R 028289X	BNSF	16820	36	0	20000	3	20	6	0	32	0	13.0	70.9	192.0
39	Orange County Transportation Authority (Orange)	Main Street	101OR-171.50	026655P	SCRRA	13601	57	0	5000	0	1	2	6	7.8	8	12.0	36.8	191.9
40	San Bernardino County	National Trails Hwy @ Oro Grande*	002-30.60-B	026075Y	BNSF	7436	85	0	5000	6	8	5	1.3	7	10	8.0	45.3	171.7

I.13-06-014 COM/MF1/avs

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41	County of Los Angeles Department of Public Works	Sierra Highway at Barrel Springs Road	101VY-65.58 101VY-65.77	750600W & 750644W	SCRRA	3179	61	0	5000	2	2	2	12	11	14	7.5	48.9	165.2
42	City of Stockton	Alpine Avenue	001BEL-81.94	752898T	UPRR	18014	30	0	4000	0	2	2	0	11.0	4	11.0	30.0	165.1
43	San Bernardino County Department of Public Works	Cherry Avenue*	001B-529.40-A	746973N	UPRR	18225	42	0	5000	0	0	0	0	2	1	1.0	4.0	157.1
44	San Bernardino Associated Governments (Barstow)	Lenwood Road	002-5-70	026062X	BNSF	4684	100	0	5000	0	5	5	6	9	1	10.0	36.2	129.9
45	County of Kern	Snow Road	001B-307.40	756948H	UPRR	11200	14	0	5000	2	3	3	4	6	0	10.0	26.0	120.0
46	San Bernardino County Department of Public Works	Glen Helen Parkway	001BB-480.10 & 002-71.00	747017U & 026103A	UPRR & BNSF	1173	98	0	5000	2	4	10	4	19	2	9.0	47.9	116.9
47	City of Ontario	Vineyard Avenue	001B-522.40	746960M	UPRR	11359	38	0	5000	0	2	3	4	5	1	12.5	27.5	113.8
48	City of Newark	Central Avenue	001L-31.10	749943G	UPRR	15457	25	0	5000	0	1	2	4	9	4	9.5	29.6	106.9

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49	City of Hayward	Tennyson Road	001D-23.00	749774W	UPRR	27203	30	0	11256	0	1	1	3	6	4	15	30	102.5
50	County of Kern	Reina Road Renfro Road Jenkins Road	002-896.62	028379W	BNSF	1260	37	0	5000	6	1	5	6	4	4	10.0	29.8	95.1
51	County of Kern	Rosedale Highway (SR 58)	103Q-113.20	029473N	SJVR	49500	7	0	5000	0	1	3	0	2	0	11.0	17.0	86.3
52	Madera County Road Department	Avenue 9	002-1011.50	028595P	BNSF	6447	42	0	6574	0	2	5	6	8	4	9.0	34.2	75.4
53	County of Kern	Airport Drive*	001B-309.60-B	756943Y	UPRR	25700	13	0	5000	0	0	0	0.1	2.0	2	2.0	6.1	72.9
54	San Joaquin County	Lower Sacramen to Road*	001BEL-65.94-B	752925M	UPRR	4234	28	0	5000	10	4	5	1.4	6	5	8.0	39.4	63.1
55	San Bernardino County Department of Public Works	Newberry Road	002-724.80	026044A	BNSF	1083	85	0	5000	0	1	5	7	7.2	1	7.0	28.2	46.6
56	City of Brentwood	Lone Tree Way	001B-59.10	751831H	UPRR	11050	0.14	0	5000	0	1	3	2	5.2	0	6.5	17.7	18.0

Key to Table Header & Railroads

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Note: VEH- Vehicle, TRN – Train, LTRN – Light Rail Trains, COST Share – Project Cost Share (a cost of more than \$5 million is permitted for qualified projects per S&H Code Section 2454 (d) for multi-year funding)

Formula For Crossing Nominated For Separation Or Elimination:

AH – Accident History

BD – Crossing Blocking Delay

VS – Vehicular Speed Limit

RS – Rail Speed Limit

CG – Crossing Geometrics

PT – Passenger trains

SCF – Special Conditions Factor

OF – Other Factors (Passenger Buses, School Buses, Hazmat Trains/Trucks, Community Impact)

**Formula For Existing Separations Nominated For Alteration or Reconstruction:*

WC – Width Clearance

HC – Height Clearance

SR – Speed Reduction

AS – Accidents Near Structure

POF – Probability of Failure

AP – Accident Potential

DE – Delay Effects

SF – Separation Factor

Railroad Abbreviations:

BNSF: The Burlington Northern Santa Fe Railroad Company

LACMTA: Los Angeles County Metropolitan Transportation Authority

PCJX: Peninsula Corridor Joint Powers Board (Caltrain)

PHL: Pacific Harbor Line

SCRRA: Southern California Regional Rail Authority (Metrolink)

SJVR: San Joaquin Valley Railroad

UPRR: Union Pacific Railroad Company

BNSF: The Burlington Northern Santa Fe Railroad Company